

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

FEBRUARY 10, 2012

HOUSE FILE 2245

H-8011

1 Amend House File 2245 as follows:

2 1. Page 1, by striking lines 6 through 20 and
3 inserting <July 1, 2012, is two percent. The state
4 percent of growth for the budget year beginning July
5 1, 2013, is four percent. The state percent of growth
6 for each subsequent budget year shall be established
7 by statute which shall be enacted within thirty days
8 of the submission in the year preceding the base year
9 of the governor's budget under section 8.21. The
10 establishment of the state percent of growth for a
11 budget year shall be the only subject matter of the
12 bill which enacts the state percent of growth for a
13 budget year.>

14 2. By striking page 1, line 25, through page 2,
15 line 8, and inserting <percent. The categorical state
16 percent of growth for the budget year beginning July 1,
17 2013, is four percent. The categorical state percent
18 of growth for each budget year shall be established
19 by statute which shall be enacted within thirty days
20 of the submission in the year preceding the base year
21 of the governor's budget under section 8.21. The
22 establishment of the categorical state percent of
23 growth for a budget year shall be the only subject
24 matter of the bill which enacts the categorical state
25 percent of growth for a budget year. The categorical
26 state percent of growth may include state percents
27 of growth for the teacher salary supplement, the
28 professional development supplement, and the early
29 intervention supplement.>

30 3. Page 2, after line 10 by inserting:
31 <Sec. ____ . CODE SECTION 257.8 ----
32 IMPLEMENTATION. The requirements of section 257.8
33 regarding the enactment of the regular program state
34 percent of growth and categorical state percent of
35 growth within thirty days of the submission in the
36 year preceding the base year of the governor's budget
37 and the requirements that the subject matter of each
38 bill establishing the state percent of growth or the
39 categorical state percent of growth be the only subject
40 matter of the bill do not apply to this Act.

41 Sec. ____ . APPLICABILITY. This Act is applicable
42 for computing state aid under the state school
43 foundation program for the school budget year beginning
44 July 1, 2013.>

45 4. Title page, by striking lines 1 through 3 and
46 inserting <An Act establishing the state percent of
47 growth and the categorical state percent of growth for
48 the school foundation program and including effective
49 date and applicability provisions.>

50 5. By renumbering as necessary.

By WINCKLER of Scott

H-8011 FILED FEBRUARY 9, 2012

HOUSE FILE 2248

H-8010

1 Amend House File 2248 as follows:
2 1. Page 2, by striking lines 28 through 35 and
3 inserting <course of therapy. A licensed optometrist
4 may perform minor surgical procedures and use
5 medications for the diagnosis and treatment of
6 diseases, disorders, and conditions of the eye and
7 adnexa. A license to practice optometry under this
8 chapter does not authorize the performance of surgical
9 procedures which require the use of injectable or
10 general anesthesia, moderate sedation, penetration
11 of the globe, or the use of ophthalmic lasers for
12 the purpose of ophthalmic surgery within or upon the
13 globe. The removal of pterygia and Salzmann's nodules,
14 incisional corneal refractive surgery, and strabismus
15 surgery are prohibited.>

By KAUFMANN of Cedar

H-8010 FILED FEBRUARY 9, 2012

SENATE FILE 413

H-8008

1 Amend Senate File 413, as amended by the Senate, as
2 follows:
3 1. Page 1, line 1, after <Code> by inserting
4 <Supplement>
5 2. Page 1, line 14, after <Code> by inserting
6 <Supplement>
7 3. Page 1, by striking lines 16 through 19 and
8 inserting:
9 <2. For the purposes consistent with this chapter,
10 the local emergency management agency's approved budget
11 ~~may~~ shall be funded by one or any combination of the
12 following options, as determined by the commission:>
13 4. Page 1, after line 27 by inserting:
14 e. Other funding sources allowed by law.>
15 5. Page 2, line 10, after <Code> by inserting
16 <Supplement>

COMMITTEE ON LOCAL GOVERNMENT

WAGNER of Linn, Chairperson

H-8008 FILED FEBRUARY 9, 2012

SENATE FILE 2071

H-8009

1 Amend Senate File 2071, as passed by the Senate, as
2 follows:
3 1. Page 2, by striking lines 6 and 7 and inserting:
4 \$ <9,316,466>
5 2. Page 2, by striking lines 11 and 12 and
6 inserting:
7 \$ 24,482,356>
8 3. Page 2, by striking lines 21 and 22 and
9 inserting:
10 \$ 15,615,374>
11 4. Page 2, by striking lines 26 and 27 and
12 inserting:
13 \$ 29,062,235>
14 5. Page 3, by striking lines 34 and 35 and
15 inserting:
16 \$ 10,336,948>
17 6. Page 4, by striking lines 7 and 8 and inserting:
18 \$ 5,391,355>
19 7. Page 4, by striking lines 12 and 13 and
20 inserting:
21 \$ 18,742,129>
22 8. By striking page 5, line 27, through page 6,
23 line 2.
24 9. Page 7, by striking lines 13 through 17.
25 10. Page 8, before line 4 by inserting:
26 <DIVISION ____
27 STATE OPERATIONS EXPENSES ---- APPROPRIATION REDUCTIONS
28 Sec. ____ STATE AGENCY OPERATIONS EXPENSES.
29 1. For the purposes of this section, unless the
30 context otherwise requires:
31 a. "Department" means the same as defined in
32 section 8.2 but includes the judicial branch.
33 "Department" does not include a department receiving a
34 supplemental appropriation or appropriation reduction
35 pursuant to an enactment by the Eighty-fourth General
36 Assembly, 2012 Session, for the fiscal year beginning
37 July 1, 2011, the office of the public defender, or the
38 institutions under the control of the state board of
39 regents.
40 b. "Operational expenditures" means office
41 supplies, other supplies, information technology
42 equipment, postage, printing and binding, professional
43 and scientific services, utilities, and communications.
44 "Operational expenditures" does not include
45 expenditures from funding for indigent defense, funding
46 under the appropriation made to the department of human
47 services for child and family services, or funding
48 credited to the BB-61 fund.
49 2. a. For the time period beginning on the
50 effective date of this section through June 30, 2012,

H-8009

1 each state department shall be subject to a limitation
2 on operational expenditures made by the department
3 on or after the effective date of this section in
4 accordance with this section.

5 b. The limitation shall be equal to 50 percent of
6 the unexpended or unencumbered amount that a department
7 has budgeted or otherwise designated for purposes
8 of operational expenditures from the appropriations
9 made to the department from the general fund of the
10 state for the fiscal year beginning July 1, 2011, and
11 ending June 30, 2012, as of the effective date of this
12 section.

13 3. The appropriations to which the expenditure
14 limitations required by this section are attributed
15 shall be reduced by the amount of the expenditure
16 limitations. Within 30 days of the enactment date of
17 this section, the department of management shall apply
18 such appropriation reductions and shall submit a report
19 to the general assembly and legislative services agency
20 itemizing the expenditure and appropriation reductions
21 applied.>

22 11. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS

RAECKER of Polk, Chairperson

Fiscal Note

Fiscal Services Division



HF 2214 – Motor Vehicle Traffic Cameras, State Ban (LSB 5038HV)

Analyst: Estelle Montgomery (Phone: 515-725-2261) (estelle.montgomery@legis.state.ia.us)

Fiscal Note Version – New

Description

House File 2214 prohibits the use of Automated Traffic Enforcement (ATE) systems in Iowa. The Bill defines ATE systems as devices with one or more sensors that work in conjunction with a traffic control signal or device or a speed-measuring device to produce recorded images of vehicles being operated in violation of traffic or speed laws. The bill specifies that ATE definitions do not include a device operated in the presence of a peace officer or mounted on a school bus and operated in the presence of a school bus driver. Further, the Bill requires local authorities with ATE systems in use to suspend operations on or before the effective date of this bill and remove all ATE systems by July 1, 2012. However, all notices of violations mailed or citations issued prior to suspension are not invalidated and subject to full processing according to the law.

Background

According to the National Conference of State Legislatures, more than 400 U.S. communities use red-light cameras and more than 40 communities use cameras to enforce speed laws. Currently, there are seven cities in Iowa that have ATE systems in use. These cities are Cedar Rapids, Clive, Council Bluffs, Davenport, Des Moines, Muscatine, and Sioux City. Each city has selected monitoring locations based on crash and safety data and history for red-light intersections and speed enforcement. In a response to a League of Cities survey, the cities indicated decreases in red-light crashes at intersections with ATE cameras, reduced crashes citywide, as well as reduced injuries resulting from crashes.

The ATE vendors are responsible for equipment installation, ownership, and ongoing maintenance. Revenues from the cameras are deposited in the general fund of each city. The ATE vendors retain a portion of the revenues for providing the services and equipment for the cameras. The amounts depend on the specific contracts between the vendors and the cities. Each city pays for personnel and any legal costs associated with the ATE program, as well as other overhead costs of running the ATE program. In a League of Cities survey, cities reported that ATE program revenues support various public safety and traffic improvement initiatives including portable radar detectors, public awareness initiatives, public safety staffing/resources, public safety technologic improvements, trucks for traffic signage and repair, portable traffic signals, and special traffic cones.

Current Situation — Statistics

2011 ATE System Violations*						
City	Cedar Rapids	Clive	Council Bluffs	Des Moines**	Muscatine	Sioux City
Red-light	3,199	14,263	17,174	Unavailable	1,927	9,178
Speeding	99,760	n/a	n/a	Unavailable	17,828	8,619

*According to the League of Cities survey of cities using ATE systems.

**The Des Moines ATE system program has not yet completed a calendar year.

At the State level, for traffic sign or signal violations under Iowa Code section [321.256](#), there is a \$100 fine in accordance with Iowa Code section [805.8A](#)(8).

2011 Fees Associated with Violations for Cities Using ATE Systems*			
City	Red-light violation	Speeding violation	Vendor fee
Cedar Rapids	\$100	Tiered: 12-20mph over at \$75, 21-25 at \$100, 26-30mph at \$250, 31+mph at \$500; majority of fines are at \$75	Flat fee of \$30 per violation.
Clive	\$100	n/a	Tiered: ranging from \$28 to \$48 per violation.
Council Bluffs	\$107.25	n/a	Tiered: \$33 to \$49 per violation.
Davenport	\$65	Tiered: 12-20mph over at \$65, 21-25mph at \$85, 26-30mph at \$95, 31-35mph \$110, 36-40mph at \$112, 41+mph at \$150	<i>Vender fee information not provided.</i>
Des Moines	\$65	Tiered: 1-15mph over at \$65, 16-20pmh at \$75, and 21+mph at \$80 plus \$2 per mph over 80 mph	Flat fee of \$25 per violation.
Muscatine	\$75	Tiered: \$75 to \$350 for violators 31+ mph over the limit	Flat fee of \$27 per speeding or red light violation.
Sioux City	\$100	\$100	\$2,500 per month per approach plus \$17.50 per paid red light violation. In addition, \$20 to \$25 per speeding violation.

*According to the League of Cities survey of cities using ATE systems.

Assumptions

- Cities will have the same number of red-light violations in 2012 as in 2011.
- Cities and vendors will retain revenues at the same percentages as before.
- All violations provide revenue from the fines levied without reduction for violations that may be appealed or dismissed.
- Revenue calculations are solely based on the number of violations and fee per violation and do not reflect any variations in earnings. This assumes that all violators pay the fines. In actuality, not all do pay. Roughly 15.0-25.0% of violations issued go unpaid. In the case of an unpaid ticket, the ATE vendor does not receive revenue.
- Calculations do not include criminal penalty surcharges (35.0% of the fine per Iowa Code section [911.1](#)) or civil court fees.
- Fines are tracked by administrators.

State Fiscal Impact

There is no fiscal impact to the State's General Fund or the Road Use Tax Fund.

Local Fiscal Impact

Local revenues in all eight cities that have ATE systems might be affected by the elimination of fees for violations caught by red-light and speed enforcement cameras. According to a League of Cities survey, potential revenue loss is estimated at \$7.5 million for all seven cities* each year and \$4.4 million would be collected by the vendors.

**The Des Moines program has not yet completed a calendar year and is not included in this amount.*

It is unknown if the specifics of the contracts between the cities and the vendors might affect these decreases further.

Sources

League of Cities (Survey of Cities w/ATEs)
League of Cities Cityscape Newsletter
Department of Transportation
Department of Public Safety
National Conference of State Legislatures

/s/ Holly M. Lyons

February 9, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Iowa Code section 2.56](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
